



MEMORANDUM

Agenda Item 14(B)2

TO: Honorable Chairman Joe A. Martinez and
Members, Board of County Commissioners

DATE: January 20, 2005

FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

Ray Sullivan
Ray Sullivan, Director
Clerk of the Board Division

SUBJECT: Certificates of County Canvassing
Board for Nonpartisan Election and
Proposed Amendments to the
Constitution of the State of Florida
and Local Referendums held
November 2, 2004

Attached for your information are the Certificates of County Canvassing Board for the Nonpartisan Election and Proposed Amendments to the Constitution of the State of Florida and Local Referendums held November 2, 2004.

KS:dc
attachment

STATE OF FLORIDA

Miami-Dade County

We, the undersigned, County Court Judge SHELLEY J. KRAVITZ, **Chairperson**, Supervisor of Elections CONSTANCE A. KAPLAN, **Member**, and Board of County Commissioners Vice Chair KATY SORENSON, **Member**, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the 2nd day of November, A.D., 2004, and proceeded publicly to canvass the votes given for the several offices and persons herein specified at the **Nonpartisan Election** held on the 2nd day of November, A.D., 2004 as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

Retention of Justice Kenneth B. Bell of the Supreme Court

YES 439,401 votes

NO 149,569 votes

Retention of Justice Raoul G. Cantero, III of the Supreme Court

YES 439,503 votes

NO 151,656 votes

Retention of Judge John G. Fletcher of the Third District Court of Appeal

YES 429,375 votes

NO 144,604 votes

Retention of Judge Frank A. Shepherd of the Third District Court of Appeal

YES 433,970 votes

NO 138,757 votes

Retention of Judge Linda Ann Wells of the Third District Court of Appeal

YES 444,518 votes

NO 127,214 votes

For Circuit Judge, Eleventh Judicial Circuit, Group Forty the whole number of votes cast was 570,289 of which number

William L. Thomas received 312,884 votes

Catherine B. Parks received 257,405 votes

For Board of County Commissioners, District One the whole number of votes cast was 55,028 of which number

Barbara Jordan received 33,724 votes

Willie Logan received 21,304 votes

For Board of County Commissioners, District Seven the whole number of votes cast was 66,122 of which number

Carlos Gimenez received 40,518 votes

Xavier L. Suarez received 25,604 votes

For School Board, District Three the whole number of votes cast was 77,413 of which number

Martin Karp received 41,185 votes

Michael Kosnitzky received 36,228 votes

For School Board, District Seven the whole number of votes cast was 81,259 of which number

Frank J. Cobo received 27,432 votes

Ana Rivas Logan received 53,827 votes

For School Board, District Nine the whole number of votes cast was 79,354 of which number

Evelyn Greer received 49,144 votes

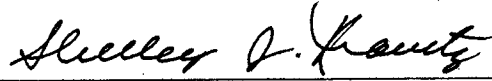
Cindy Lerner received 30,210 votes

For County Mayor, the whole number of votes cast was 718,830 of which number

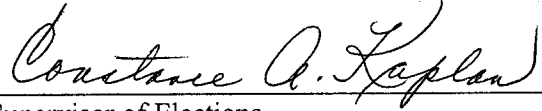
Carlos Alvarez received 396,798 votes

Jimmy Morales received 322,032 votes

MIAMI-DADE COUNTY CANVASSING BOARD:



County Court Judge
SHELLEY J. KRAVITZ, Chairperson



Supervisor of Elections
CONSTANCE A. KAPLAN, Member

Board of County Commissioners Vice Chair
KATY SORENSON, Member

CERTIFICATE OF COUNTY CANVASSING BOARD

STATE OF FLORIDA

Miami-Dade County

We, the undersigned, County Court Judge SHELLEY J. KRAVITZ, **Chairperson**, Supervisor of Elections CONSTANCE A. KAPLAN, **Member** and Board of County Commissioners Vice Chair KATY SORENSON, **Member**, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the 2nd day of November, A.D., 2004, and proceeded publicly to canvass the votes given for Proposed Amendments to the Constitution of the State of Florida and local referendums on the 2nd day of November, A.D., 2004 as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

NO. 1
CONSTITUTIONAL AMENDMENT
ARTICLE X, SECTION 22

ARTICLE X
MISCELLANEOUS

Section 22. Parental notice of termination of a minor's pregnancy. The legislature shall not limit or deny the privacy right guaranteed to a minor under the United States Constitution as interpreted by the United States Supreme Court. Notwithstanding a minor's right of privacy provided in Section 23 of Article I, the Legislature is authorized to require by general law for notification to a parent or guardian of a minor before the termination of the minor's pregnancy. The Legislature shall provide exceptions to such requirement for notification and shall create a process for judicial waiver of the notification.

YES 439,789 votes

NO 257,279 votes

NO. 2
CONSTITUTIONAL AMENDMENT
ARTICLE IV, SECTION 10
ARTICLE XI, SECTION 5

Constitutional Amendments Proposed By Initiative

Proposing amendments to the State Constitution to require the sponsor of a constitutional amendment proposed by citizen initiative to file the initiative petition with the Secretary of State by February 1 of the year of a general election in order to have the measure submitted to the electors for approval or rejection at the following November's general election, and to require the Florida Supreme Court to render an advisory opinion addressing the validity of an initiative petition by April 1 of the year in which the amendment is to be submitted to the electors.

YES 414,275 votes

NO 225,557 votes

CLERK OF THE BOARD
2005 JAN -3 AM 8:32
CLERK - CIRCUIT 5, COUNTY COURTS
DADE COUNTY, FLA.
#1

NO. 3
CONSTITUTIONAL AMENDMENT
ARTICLE I, SECTION 26

The Medical Liability Claimant's Compensation Amendment

Proposes to amend the State Constitution to provide that an injured claimant who enters into a contingency fee agreement with an attorney in a claim for medical liability is entitled to no less than 70% of the first \$250,000.00 in all damages received by the claimant, and 90% of damages in excess of \$250,000.00, exclusive of reasonable and customary costs and regardless of the number of defendants. This amendment is intended to be self-executing.

The direct financial impact this amendment will have on state and local government revenues and expenditures cannot be determined.

YES 389,084 votes

NO 310,762 votes

NO. 4
CONSTITUTIONAL AMENDMENT
ARTICLE X, SECTION 19

Authorizes Miami-Dade and Broward County Voters to Approve Slot Machines in Parimutuel Facilities

Authorizes Miami-Dade and Broward Counties to hold referenda on whether to authorize slot machines in existing, licensed parimutuel facilities (thoroughbred and harness racing, greyhound racing, and jai alai) that have conducted live racing or games in that county during each of the last two calendar years before effective date of this amendment. The Legislature may tax slot machine revenues, and any such taxes must supplement public education funding statewide. Requires implementing legislation.

This amendment alone has no fiscal impact on government. If slot machines are authorized in Miami-Dade or Broward counties, governmental costs associated with additional gambling will increase by an unknown amount and local sales tax-related revenues will be reduced by \$5 million to \$8 million annually. If the Legislature also chooses to tax slot machine revenues, state tax revenues from Miami-Dade and Broward counties combined would range from \$200 million to \$500 million annually.

YES 404,240 votes

NO 300,403 votes

NO. 5
CONSTITUTIONAL AMENDMENT
ARTICLE X

Florida Minimum Wage Amendment

This amendment creates a Florida minimum wage covering all employees in the state covered by the federal minimum wage. The state minimum wage will start at \$6.15 per hour six months after enactment, and thereafter be indexed to inflation each year. It provides for enforcement, including double damages for unpaid wages, attorney's fees, and fines by the state. It forbids retaliation against employees for exercising this right.

The impact of this amendment on costs and revenues of state and local governments is expected to be minimal.

YES 555,325 votes

NO 158,573 votes

NO. 6
CONSTITUTIONAL AMENDMENT
ARTICLE X, SECTION 19

Repeal of High Speed Rail Amendment

This amendment repeals an amendment in the Florida Constitution that requires the Legislature, the Cabinet and the Governor to proceed with the development and operation of a high speed ground transportation system by the state and/or by a private entity.

The probable financial impact of passage of this amendment is a state cost savings ranging from \$20 billion to \$25 billion over the next 30 years. This estimate assumes the repeal of associated laws, the use of state bonds to finance construction, and could be reduced by federal or private sector funding.

YES 394,339 votes

NO 293,071 votes

NO. 7
CONSTITUTIONAL AMENDMENT
ARTICLE X, SECTION 22

Patients' Right to Know About Adverse Medical Incidents

Current Florida law restricts information available to patients related to investigations of adverse medical incidents, such as medical malpractice. This amendment would give patients the right to review, upon request, records of health care facilities' or providers' adverse medical incidents, including those which could cause injury or death. Provides that patients' identities should not be disclosed.

The direct financial impact this amendment will have on state and local government revenues and expenditures cannot be determined, but is expected to be minimal. State agencies will incur some additional costs to comply with public records requirements of the amendment, but these costs will be generally offset by fees charged to the persons requesting the information.

YES 572,577 votes

NO 127,310 votes

NO. 8
CONSTITUTIONAL AMENDMENT
ARTICLE X, SECTION 20

Public Protection from Repeated Medical Malpractice

Current law allows medical doctors who have committed repeated malpractice to be licensed to practice medicine in Florida. This amendment prohibits medical doctors who have been found to have committed three or more incidents of medical malpractice from being licensed to practice medicine in Florida.

The direct financial impact on state and local governments resulting from the proposed initiative would be minimal. There will likely be additional costs to the state of less than \$1 million per year, but these costs will be offset by licensure fees.

YES 478,062 votes

NO 219,147 votes

COUNTY

BOND QUESTION 1
BUILDING BETTER COMMUNITIES

Construct and Improve Water, Sewer and Flood Control Systems

To protect natural resources through improved distribution of clean water, safe sewage and waste disposal, improved flood control and drainage, described in Resolution No. 912-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$378,183,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 457,168 votes

AGAINST BONDS 218,484 votes

**BOND QUESTION 2
BUILDING BETTER COMMUNITIES**

Construct and Improve Parks and Recreational Facilities

To construct and improve neighborhood and regional parks and other recreational areas to include athletic fields and gymnasiums, courts, pools, playgrounds, marinas, restore beaches, and the preservation of endangered lands described in Resolution No. 913-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$680,258,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 449,293 votes

AGAINST BONDS 230,415 votes

**BOND QUESTION 3
BUILDING BETTER COMMUNITIES**

Construct and Improve Bridges, Public Infrastructure, and Neighborhood Improvements

To construct and improve walkways, bikeways, bridges and access to the Seaport, and other municipal and neighborhood infrastructure improvements to enhance quality of life, described in Resolution No. 914-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$352,182,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 425,122 votes

AGAINST BONDS 248,283 votes

**BOND QUESTION 4
BUILDING BETTER COMMUNITIES**

Construct and Improve Public Safety Facilities

To promote public safety by constructing and improving detention centers, justice centers, courthouses, police, fire and lifeguard stations, and new animal care and control facilities, described in Resolution No. 915-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$341,087,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 430,939 votes

AGAINST BONDS 241,533 votes

**BOND QUESTION 5
BUILDING BETTER COMMUNITIES**

Construct and Improve Emergency and Healthcare Facilities

To construct and improve emergency healthcare facilities at Jackson Memorial Hospital and Jackson South to promote accessibility to quality healthcare services, described in Resolution No. 916-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$171,281,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 479,451 votes

AGAINST BONDS 193,401 votes

**BOND QUESTION 6
BUILDING BETTER COMMUNITIES**

Construct and Improve Public Service Outreach Facilities

To construct and improve public service outreach facilities to meet code and service requirements and to increase neighborhood and community access to services, described in Resolution No. 917-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$255,070,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 383,238 votes

AGAINST BONDS 274,604 votes

**BOND QUESTION 7
BUILDING BETTER COMMUNITIES**

Construct and Improve Housing for the Elderly and Families

To construct and improve affordable housing for the elderly and families to encourage home ownership through the acquisition, construction and renovation of residential units, described in Resolution No. 918-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$194,997,000 bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 474,398 votes

AGAINST BONDS 194,923 votes

**BOND QUESTION 8
BUILDING BETTER COMMUNITIES**

Construct and Improve Cultural, Library, and Multicultural Educational Facilities

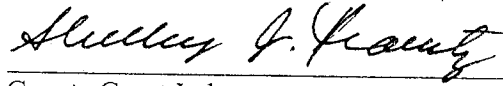
To construct and improve libraries, cultural facilities, and Head Start learning centers for pre-school children to offer multicultural educational opportunities and activities, described in Resolution No. 919-04, adopted July 20, 2004, shall Miami-Dade County issue General Obligation Bonds to pay cost of such projects in a principal amount not exceeding \$552,692,000, bearing interest not exceeding maximum legal rate, payable from ad valorem taxes?

FOR BONDS 441,287 votes

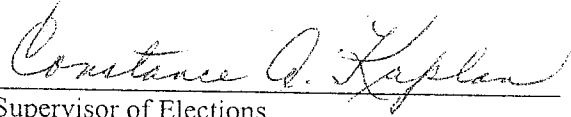
AGAINST BONDS 233,279 votes

Total ballots cast in Miami-Dade County was 778,953 for a 73.57 percent turnout.

MIAMI-DADE COUNTY CANVASSING BOARD:



County Court Judge
SHELLEY J. KRAVITZ, Chairperson



Supervisor of Elections
CONSTANCE A. KAPLAN, Member

Board of County Commissioners Vice Chair
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